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FILED

Date 10/10/14 By *Susan Saylor*

8 **BEFORE THE**
9 **STRUCTURAL PEST CONTROL BOARD**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2015-18

12 **CHAD S. REPASS**
5445 South Villa
13 Fresno, California 93725

ACCUSATION

14 **Field Representative License No. FR 45211**

15 Respondent.

16
17 Susan Saylor ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the
20 Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of
21 Consumer Affairs.

22 **Applicator/Field Representative License**

23 2. On or about February 22, 2010, the Board issued Field Representative License
24 Number FR 45211 in Branches 2 and 3 to Chad S. Repass ("Respondent"), as an employee of
25 Terminix International Company L.P. The field representative license was in full force and effect
26 at all times relevant to the charges brought herein and will expire on June 30, 2015, unless
27 renewed.

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1 The board may charge a fee for the taking of an examination in each branch of
2 pest control pursuant to this section in an amount sufficient to cover the cost of
3 administering each examination, provided, however, that in no event shall the fee
4 exceed fifty dollars (\$50) for each examination.

5 7. California Code of Regulations, title 16, section ("Regulation") 1950 states, in
6 pertinent part:

7 (a) Except as provided in section 1951, every licensee is required, as a
8 condition to renewal of a license, to certify that he or she has completed the
9 continuing education requirements set forth in this article. A licensee who cannot
10 verify completion of continuing education by producing certificates of activity
11 completion, whenever requested to do so by the Board, may be subject to disciplinary
12 action under section 8641 of the code.

13 (b) Each licensee is required to complete a certain number of continuing
14 education hours during the three year renewal period. The number of hours required
15 depends on the number of branches of pest control in which licenses are held. The
16 subject matter covered by each activity shall be designated as "technical" or "general"
17 by the Board when the activity is approved. Hour values shall be assigned by the
18 Board to each approved educational activity, in accordance with the provisions of
19 section 1950.5.

20 (d) Field representatives licensed in one branch of pest control shall have
21 completed 16 continuing education hours, field representatives licensed in two
22 branches of pest control shall have completed 20 continuing education hours, field
23 representatives licensed in three branches of pest control shall have completed 24
24 continuing education hours during each three year renewal period. In each case, a
25 minimum of four continuing education hours in a technical subject directly related to
26 each branch of pest control held by the licensee must be completed for each branch of
27 pest control licensed, a minimum of two hours in Integrated Pest Management must
28 be completed by Branch 2 and/or 3 licensees renewing on or after June 30, 2010, and
a minimum of eight hours must be completed from Board approved courses on the
Structural Pest Control Act, the Rules and Regulations, or structural pest control
related agencies' rules and regulations. . . .

COST RECOVERY

8. Code section 125.3 states, in pertinent part, that a Board may request the
administrative law judge to direct a licensee found to have committed a violation or violations of
the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
enforcement of the case.

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1 **CAUSE FOR DISCIPLINE**

2 (Failure to Verify Completion of Continuing Education)

3 9. In or around June 2012, Respondent submitted a license renewal application to the
4 Board. On or about June 20, 2012, Respondent certified under penalty of perjury on the
5 application form that he completed 20 hours of continuing education during his last renewal
6 period.

7 10. On November 28, 2012, January 9, 2013, and October 23, 2013, a Board
8 representative sent Respondent written requests for copies of his continuing education certificates
9 for the renewal period July 1, 2009, through June 30, 2012. Respondent was advised that his
10 failure to verify his continuing education hours or to supply the requested information could
11 subject his field representative license to disciplinary action.

12 11. Respondent is subject to discipline pursuant to Code section 8641, in that he failed to
13 comply with Code Section 8593 and Regulation section 1950(a) by failing to verify that he
14 completed courses of continuing education in pest control approved by the Board. Specifically,
15 Respondent failed to submit copies of his continuing education certificates for the renewal period
16 July 1, 2009, through June 30, 2012, as requested by the Board representative.

17 **OTHER MATTERS**

18 12. Code section 8620 provides, in pertinent part, that a respondent may request that a
19 civil penalty of not more than \$5,000 be assessed in lieu of an actual suspension of 1 to 19 days,
20 or not more than \$10,000 for an actual suspension of 20 to 45 days. Such request must be made
21 at the time of the hearing and must be noted in the proposed decision. The proposed decision
22 shall not provide that a civil penalty shall be imposed in lieu of a suspension.

23 13. Pursuant to Code section 8654, if discipline is imposed on Field Representative
24 License Number FR 45211, issued to Respondent Chad S. Repass, Chad S. Repass shall be
25 prohibited from serving as an officer, director, associate, partner, qualifying manager, or
26 responsible managing employee for any registered company during the time the discipline is
27 imposed, and any registered company which employs, elects, or associates him shall be subject to
28 disciplinary action.

1 PRAYER

2 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Structural Pest Control Board issue a decision:

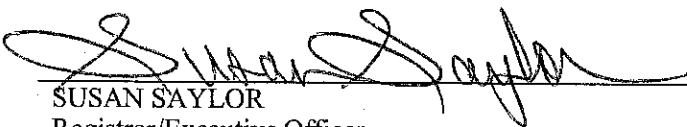
4 1. Revoking or suspending Field Representative License Number FR 45211, issued to
5 Chad S. Repass;

6 2. Prohibiting Chad S. Repass from serving as an officer, director, associate, partner,
7 qualifying manager or responsible managing employee of any registered company during the
8 period that discipline is imposed on Field Representative License Number FR 45211, issued to
9 Chad S. Repass;

10 3. Ordering Chad S. Repass to pay the Structural Pest Control Board the reasonable
11 costs of the investigation and enforcement of this case, pursuant to Business and Professions
12 Code section 125.3; and,

13 4. Taking such other and further action as deemed necessary and proper.

14
15 DATED: 10/10/14


16 SUSAN SAYLOR
17 Registrar/Executive Officer
18 Structural Pest Control Board
19 Department of Consumer Affairs
20 State of California
21 Complainant

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